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IN THE

Supreme Court of the United States

OCTOBER 1965 TERM

No. 732

In the Matter, of

ARNOLD SCHILDHAUS, An Attorney,

Appellant,

—v.—

THE ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK,

Appellee.

MOTION TO DISMISS

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ARGUMENT

I. The investigation of appellant's conduct and the filing of charges against him were properly conducted, appellant at all times being afforded a full opportunity to explain and defend his conduct, and no substantial federal question is presented thereby 2

II. The charges of which appellant was found guilty, together with his conduct during the course of the hearings, amply warrant the discipline imposed and no substantial federal question is raised thereby 8

III. No substantial federal question is presented by the admission in evidence of the minutes of the proceeding in the Criminal Court wherein appellant substituted a corporation in his place as defendant inasmuch as no proper objection to their admission was made and, in any event, appellant later sought to introduce one of them in evidence himself 11

IV. No substantial federal question is raised by the admission in evidence of the "bank statements" inasmuch as the originals were submitted for appellant's inspection and, in any event, it is conceded that they are entirely in his own handwriting 13

CONCLUSION 17

AUTHORITIES CITED:

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Cases:

Emray Realty Corp. v. Abrams, 309 N. Y. 888 14

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Pursuant to Rule 16 of the Revised Rules of the Supreme Court of the United States, appellee moves to dismiss the appeal in the above-entitled action on the ground that it does not present a substantial federal question.

Preliminary Statement

While appellee respectfully submits that the Jurisdictional Statement filed by appellant herein is on its face devoid of any substantial federal question, such questions as are set forth are predicated upon distortions of the record which appellant conspicuously fails to cite. In this regard, appellant's conduct is consistent with that which the Court below considered in disbarring him, see *infra*.